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THESIS

**THE DEMOCRATIC CIVILIAN CONTROL OF THE
MONGOLIAN ARMED FORCES: THE STATE IH HURAL**

by

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March 2000

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FORCES: THE STATE IH HURAL**

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EXECUTIVE SUMMARY

This thesis analyzes the new civilian control mechanism of the Mongolian Armed Forces, focusing on the State Ih Hural (the Mongolian Parliament) and its defense-related committees, as well as the civilian Defense Minister. It answers the question: How can Mongolian political leaders (both in executive and legislative branches) be provided with defense expertise and information so that they can exercise their proper authority over the Mongolian Armed Forces (MAF)? It will demonstrate that the legislative branch of the Mongolian government does not have sufficient defense expertise and information, and further argues that an urgent need to establish a training system for civilian defense experts exists. This thesis also examines how the U. S. Congress participates in the defense decision-making process, and how it provides defense expertise and information for legislators. Lastly, this thesis suggests ways to improve the defense expertise and information for the Mongolian Parliament, its defense-related committees and the civilian Defense Minister.

This topic is important for two reasons. First, the Mongolian civilian control mechanism is relatively new, having been established under the 1992 Constitution. Under this Constitution, restructuring and maintaining the national defense forces is the constitutional responsibilities of the elected officials, including the President, the Prime Minister, and the members of the parliament. In this regard, the primary responsibility of the Mongolian Parliament, the State Ih Hural (SIH), are to enact legislation relevant to security and defense, approve the defense program and budget, approve senior military promotions, and declare a state of war. Despite these formal authorities, legislators are unable to make substantive changes in the defense

organizations because they lack adequate expertise and information on defense and security matters. Without sufficient knowledge and information about defense issues, and because of inadequate military representation in the SIH, political leaders have difficulty in assessing proposed legislation for the Armed Forces and its personnel. Therefore, providing legislators with experts on defense issues is essential.

The second reason this topic is important is that the new democratic government has advocated policies to consolidate Western-oriented civil-military relations since 1992. The coalition government appointed the first civilian Defense Minister in 1996. But the civilian Defense Minister cannot control defense issues effectively, due to the lack of civilian expertise on defense issues. Therefore, adding sufficient civilian expertise to the staff of the civilian Defense Minister and preparing civil servants for the Ministry of Defense (MOD) is necessary.

Chapter I presents the main research question and examines the role of parliament in the overall fabric of the democratic civilian-control of the Armed Forces. Chapter II examines aspects of the new civilian-control system of the Mongolian Armed Forces and focuses on how the SIH maintains civilian supremacy over the military through the defense-related committees, the Prime Minister, and the civilian Defense Minister. Chapter III analyzes the U. S. civilian control systems, focusing particularly on how the U. S. legislators are provided security and defense-related information and expertise. Chapter IV examines ways to improve the defense information and training system for Mongolian political leaders regarding security and defense policy. These proposed improvements are based on systems of the U. S. Congress. Chapter V concludes with proposals to improve the current civilian control system of the Mongolian Armed

Forces and recommends how new democracies can create a mechanism that provides defense expertise and information for legislators.

Finally, the thesis recommends that the following seven measures should be taken in order to increase the decision-making capabilities of the Mongolian Parliament, the defense-related committees, and the civilian Defense Minister on national defense and security matters.

- The SIH must enact legislation on civilian oversight and control of the military. It must define the civilian control, regulate defense-related responsibilities among the civilian officials, including the members of the parliament, the defense-related committees, the President, the Prime Minister, the civilian Defense Minister, and the Finance Minister.
- The defense-related committees must strengthen their staff by recruiting candidates (civilian and military) with defense expertise and knowledge. Moreover, those defense-related committees should play a more active role in the defense budgeting process by adding defense budget experts to their staff.
- The SIH should strengthen its Research Institute with defense experts and enrich its defense research capacity. The Research Institute should develop information-exchange programs with other similar institutes.
- The defense-related committees should cooperate with the National Security Council (NSC), research institutes, and the media on defense and security issues. In addition, the SIH should have a professional advisory group (independent from the MOD) which conducts research and makes recommendations on security and defense issues to the defense-related committees and members of the parliament.

- Because the civilian Defense Minister is a key agent in the daily parliamentary control over the defense organizations, the SIH should delegate clearer responsibilities to the civilian Defense Minister, strengthen his post with deputies to share his responsibilities, and also support him with civil servants.
- The SIH should resolve the problem of scarcity of defense expertise and information. Additionally, the SIH should increase cooperative undertakings with research institutes and universities, and encourage them to provide legislators with alternative information on defense and security matters.
- There should be appropriate short- and long-term training and programs for educating civilians in defense and security matters. The hub of this training should be the Mongolian Defense University (MDU) because it has the capacity to conduct such programs. Short-term training by the MDU for certain high-ranking officials on defense and security issues could be made a prerequisite for taking office.

I. INTRODUCTION

Most former communist countries, including Mongolia, are in transition and trying "to redefine their civil-military relations and transform their military into a force loyal to the new democratic systems."¹ The new democratic goals in those countries are to establish firm civilian control over the Armed Forces and to limit the military's participation in the policy-making process. This thesis will answer the question: How can Mongolian political leaders (both in the executive and legislative branches) be provided with defense expertise and information so that they can exercise their proper authority over the Mongolian Armed Forces (MAF)? As Goodman points out,

The lack of civilian expertise in many nations has contributed to mutual isolation of civilian authorities and military officials, and ultimately to political breakdown. Without such expertise, the frayed civil-military relations that inevitably result can lead to hardening of positions and a desire by the armed forces to take matters into their own hands by expanding the military's missions, prerogatives, and political power.²

This chapter will present the importance of this thesis and briefly examine the role of the parliament in terms of the civilian control over the Armed Forces.

A. IMPORTANCE OF THE TOPIC

The purpose of this thesis is to examine ways to create stable sources of defense expertise and information for the State Ih Hural (the Mongolian Parliament), its defense-related committees, and the civilian Defense Minister.

¹James H. Brusstar and Jones Ellen, "The Russian Military's Role in Politics," in *McNair Paper 34* (Washington, D. C.: National Defense University Press, 1995), p. 1.

²Louis W. Goodman, "Military Roles Past and Present" in Larry Diamond and Marc F. Plattner, *Civil-Military Relations and Democracy* (Baltimore: John Hopkins University Press, 1996), p. 42.

Clearly, this is one of the key challenges of civil-military relations in Mongolia. This topic is important for two reasons. First, the Mongolian civilian control mechanism is relatively new, having been established under the 1992 Constitution. The Constitution describes in detail how the various governmental bodies operate to control the military.³ In the new security environment of Mongolia, there is an urgent need to restructure its national defense forces in accordance with nation's security policies and resources available for defense. To restructure and to maintain the national defense forces is the constitutional responsibility of the elected officials, including the President, the Prime Minister, and members of the parliament.

In this regard, the primary responsibilities of the Mongolian Parliament, the State Ih Hural (SIH), are to enact legislation relevant to security and defense, approve the Government's defense program and budget, approve senior military promotions, and declare a state of war. The parliament also has the legislative responsibility to establish the national defense structure. This includes organizing and specifying the missions and capabilities of defense-related organizations like the Ministry of Defense (MOD) and the General Staff of the Armed Forces (GSAF). Having the "power of the purse," the SIH controls the budget allocations for defense.

The Constitution also designates the President of Mongolia as the Commander-In-Chief of the Armed Forces and head of the National Security Council (NSC). Among the President's prerogatives are certain rights concerning defense, such as designating higher military ranks, declaring general and partial conscription, and also declaring a state of war should hostilities break out while the SIH is in recess.

³ The new constitution restructured the political institutions, creating a unicameral legislature, the State Ih Hural (SIH), and its executive body, Government, President, and the Constitutional Court.

According to the Constitution, the SIH controls the Armed Forces through the defense-related committees, the Government, headed by the Prime Minister, and the civilian Defense Minister, and as such the SIH has more power than the President. The highest executive body, the Government, is responsible for strengthening national defense capabilities and ensuring national security.

Despite the formal authorities granted to the legislative body and defense-related committees, legislators are, in fact, unable to make substantive changes in the defense organizations because they lack adequate expertise on defense and security matters. Moreover, there are few military representatives in the current SIH. Without sufficient knowledge and information about defense issues, and with military representation absent in the SIH, political leaders have difficulty in making decisions and judging proposed legislation for the Armed Forces and its personnel. Therefore, providing legislators with expertise on defense issues is crucial.

The second reason this topic is important is that since 1992 the new democratic government has advocated policies to consolidate Western-oriented civil-military relations. The coalition government appointed the first civilian Defense Minister in 1996. Most of the responsibilities for establishing and maintaining parliamentary civilian control over the Armed Forces must be shouldered by the civilian-led MOD. It is essential to bring civilians into the MOD for what Alfred Stepan terms, "civilian empowerment," whereby "civilians develop the substantive competence to manage and monitor military budgets, acquisitions, training,

promotions, and operations intelligently and responsibly.”⁴ At present, civilian empowerment in the MOD is not satisfactory in the Mongolian case because few available civilian defense experts are present. Developing sufficient civilian expertise for the staff of the civilian Defense Minister and prepare civil servants for the MOD is necessary. Otherwise, untimely civilian efforts to initiate military reform may prove counterproductive. Therefore, there is a need to implement a training system on security and defense policies for future political leaders and political party officials and to start the preparation of civil servants for the MOD.

A new civilian control system has been established; yet, the old structure and culture still exist in the defense organizations. A lack of civilian expertise on defense issues means that civilians, legislators, and civilian Defense Minister cannot effectively control defense issues. Obviously, well-informed government officials are more likely to be effective decision-makers.

B. THE PARLIAMENT AND CIVILIAN CONTROL

“One of the basic tenets of representative democracy is that politicians who exercise political power are answerable to those who have elected them, and in whose name they formulate and implement policies.”⁵ A democracy, according to Diamond and Plattner, “requires establishing the primacy of elected, civilian authorities (executive and legislative) in all areas of policy, including the formulation and implementation of national defense policy.”⁶

As an indispensable part of the overall fabric of democratic civilian control, the legislative branch of the government has a crucial role in the defense decision-making process.

⁴ Larry Diamond and Marc F. Plattner, *Civil-Military Relations and Democracy*, (Baltimore: John Hopkins University Press, 1996), p. xxxii.

⁵ Rudolf Joo, “The Democratic Control of the Armed Forces: The Experience of Hungary,” *Challiot Paper 23* (Paris: February 1996), p. 3.

⁶ Larry Diamond and Marc F. Plattner, p. xxviii.

In democracies, the parliament plays a significant role in the defense decisions in five ways: (1) legislating defense and security matters, (2) influencing the formation of national strategy, (3) contributing "transparency" to decisions concerning defense and security, (4) giving budget approval and (5) controlling spending: using "the power of the purse" in issues related to "the power of sword."⁷ As the preeminent political institution, the parliament commonly exercises civilian supremacy over the Armed Forces through the defense-related committees, the Prime Minister, and the civilian Defense Minister. Aguero defined *civilian supremacy*,⁸ in his study, *Soldier, Civilians, and Democracy: Post-Franco Spain in a Comparative Perspective*,

As the ability of a civilian, democratically elected government to conduct general policy without interference from the military, to define the goals and general organization of national defense, to formulate and conduct defense policy, and to monitor the implementation of military policy.⁹

In exercising civilian supremacy, Goodman identifies the lack of civilian defense-policy expertise as a key problem for many consolidating democracies.¹⁰

Thus the head of government, working through a civilian-led and authoritative MOD, must have the capacity to determine budgets, force levels, defense strategies and priorities, weapons acquisitions, and the military curricula and doctrines, and the national legislature must at least have the capacity to review these decisions and monitor their implementation.¹¹

⁷ Joo, p. 5.

⁸ "Civilian supremacy entails more than simply minimizing military intervention in politics." The concept of civilian supremacy is closely related to Huntington's "objective civilian control." *Civilian supremacy* requires more involvement from civilian officials in defense decision making processes. See Felipe Aguero, *Soldiers, Civilians, and Democracy: Post-Franco Spain in a Comparative Perspective* (Baltimore: John Hopkins University Press, 1995), pp. 19-23 and Larry Diamond and Marc F. Plattner, *Civil-Military Relations and Democracy* (Baltimore: John Hopkins University Press, 1996), pp. xxviii-xxix.

⁹ Felipe Aguero, *Soldiers, Civilians, and Democracy: Post-Franco Spain in a Comparative Perspective*, (Baltimore: John Hopkins University Press, 1995), p. 19.

¹⁰ Goodman, pp. 30-43.

¹¹ Larry Diamond and Marc F. Plattner, p. xxviii.

Without that capacity to consider defense and security matters, "the legislative and the general public simply have no ways to oversee or scrutinize the decisions and conduct of defense officials and therefore cannot ensure that officials in government are answerable for their actions."¹² Also, the legislative bodies, especially the defense-related committees are not provided with defense expertise and sufficient information; "legislators sometimes have to rely upon whistle-blowers from the military to uncover the hidden budgets or scandals in the military establishment."¹³ It is also imperative that civilians advise the legislators and the Prime Ministers in defense and security matters. Beyond this, there must also be independent defense experts and sources of information for the legislators to get alternative views on issues. Legislators should have access to defense information that is necessary for oversight, legislation, and investigation. Goodman notes that "the importance and complexity of the military's core mission in the modern world demand close collaboration between military officers and civilians who understand the military's key needs. Only under such circumstances can civilian authorities exercise proper oversight of the military's activities."¹⁴

Therefore, there is "a great emphasis on training civilian defense officials and strategists, and on building up a larger fund of national-security knowledge in civilian universities, think tanks, and the mass media, and other organizations of civil society."¹⁵

¹² Chih-cheng Lo, "Changing Civil-Military Relations in Taiwan's Democratization Process," Manuscript, Naval Postgraduate School, Monterey, California, October 1999, p. 10.

¹³ Ibid., pp. 10-11.

¹⁴ Goodman, pp. 30-43.

¹⁵ Larry Diamond and Marc F. Plattner, p. xxviii.

C. METHODOLOGY

This thesis aims at creating a stable source of defense expertise and information for the defense-related committees, legislators, and the civilian Defense Minister.

The thesis will examine how U. S. legislators participate in the defense decision-making process, and how they are provided with defense expertise and information. The case of the United States can provide many lessons for consolidating and developing democracies, including Mongolia.

The reasons for choosing the U. S. case are as follows: First, the American civilian control mechanism is considered one of the most effective democratic mechanisms in the world. The civilian control mechanism of the United States has been tested and developed throughout two world wars and various military conflicts and operations. This experience has proven its efficiency and durability. Second, when Mongolian formulated the 1992 Constitution of Mongolia, the U. S. Constitution was one of the primary models for the framers of the Mongolian Constitution. Since 1789, the U. S. democracy has been termed a constitutional democracy, reflecting democratic principles of checks and balances, separation of power, and federalism. Mongolia continues to look to the United States as a model, so it certainly would offer important lessons for the emerging Mongolian constitutional democracy. Finally, like the U. S. Congress, the Mongolian legislature has been assigned similar responsibilities in defense decision-making.

Therefore, the experiences of the U. S. Congress in defense decision-making provide valuable lessons for the SIH in strengthening the parliamentary control over the Mongolian Armed Forces (MAF).

Chapter II will examine aspects of the new civilian control system of the MAF, and will focus on how the SIH maintains civilian supremacy over the military through the defense-related committees, the Prime Minister, and the civilian Defense Minister.

Chapter III will analyze the U. S. civilian control systems, focusing particularly on how the U. S. legislators receive security and defense-related information and expertise.

Chapter IV will contain proposals for improving the Mongolian information and training system for Mongolian political leaders on security and defense policy. These proposals will be based on my research of the systems employed by the U. S. Congress.

The conclusion will recommend ways to improve the current civilian control system of the MAF and recommend how new democracies may create a mechanism that provides defense information and expertise for legislators.

D. FINDINGS AND RECOMMENDATIONS

This thesis argues that the elected officials, especially the legislators should be supported by sufficient defense expertise to maintain proper civilian control over the Armed Forces. The thesis identifies that the Mongolian Parliament, its defense-related committees, and the civilian Defense Minister do not presently have sufficient expertise and information on defense and security matters. Therefore, based on the study of the U. S. Congress, the thesis recommends several ways of increasing the defense expertise and information for the Mongolian Parliament:

- The SIH must enact legislation on civilian oversight and control of the military. It must define the civilian control, regulate defense-related responsibilities among the civilian officials, including the members of the parliament, the defense-related committees, the President, the Prime Minister, the civilian Defense Minister, and the Finance Minister.

- The defense-related committees must strengthen their staff by recruiting candidates (civilian and military) with defense expertise and knowledge. Moreover, those defense-related committees should play a more active role in the defense budgeting process by adding defense budget experts to their staff.
- The SIH should strengthen its Research Institute with defense experts and enrich its defense research capacity. The Research Institute should develop information-exchange programs with other similar institutes.
- The defense-related committees should cooperate with the NSC, research institutes, and the media on defense and security issues. The SIH should have a professional advisory group (independent from the MOD) which conducts research and makes recommendations on security and defense issues to the defense-related committees and members of the parliament.
- Because the civilian Defense Minister is a key agent in the daily parliamentary control over the defense organizations, the SIH needs to delegate clearer responsibilities to the civilian Defense Minister, strengthen his post with deputies to share his responsibilities, and also support him with civil servants.
- The SIH should resolve the problem of scarcity of defense expertise and information. Moreover, the SIH should increase cooperative undertaking with research institutes and universities, and should encourage them to provide legislators with alternative information on defense and security matters.
- There should be appropriate short- and long-term training and programs for educating civilians in defense and security matters. The hub of this training should be the MDU because it has the capacity to conduct such programs. In addition, short-term training by

MDU for certain high-ranking officials on defense and security issues could be made a prerequisite for taking office.

II. THE DEMOCRATIC CIVILIAN CONTROL OF THE MONGOLIAN ARMED FORCES: THE STATE IH HURAL

The Mongolian Parliament, the State Ih Hural, has enormous power in the defense decision-making process under the 1992 Constitution. The State Ih Hural is also responsible for implementing civilian supremacy over the Armed Forces, along with the defense-related committees, the Prime Minister, and the civilian Defense Minister. This chapter covers the role of the State Ih Hural in the defense decision-making process. First, it examines what powers are granted by the Constitution and where the State Ih Hural fits into the overall weave of democratic civilian control. Second, this chapter discusses how the State Ih Hural can execute its civilian-control responsibilities. Finally, the chapter focuses on two problems that undermine civilian supremacy: inadequate civilian defense expertise and limited access to defense information.

A. THE STATE IH HURAL

1. Foundation

The State Ih Hural (SIH) of Mongolia was created by Article 20 of the Constitution adopted by the People's Great Hural of the Mongolian People's Republic on January 13, 1992. The Constitution stipulates that "the State Ih Hural of Mongolia is the highest organ of State power" and that "supreme legislative power shall be vested only in the State Ih Hural."

The framers of the 1992 Constitution chose a semi-presidential political structure,¹⁶ which reflected democratic principles of power separation as well as checks and balances between the political institutions. The new Mongolian governmental system consists of four branches: the State Ih Hural;¹⁷ its executive body, the Government headed by the Prime Minister; the President; and the Constitutional Court.

The SIH is a unicameral legislative body. It consists of 76 members elected for a four-year term. SIH sessions are held once every six months for not less than 75 working days, and decisions are made by a simple majority.¹⁸

Like other parliaments, the Standing Committees of the SIH shoulder most of the workload. The SIH has the following seven standing committees: Security and Foreign Policy, Environment and Rural Development, Social Policy, State Structure, Budget, Legal Affairs, and Economy. The Law on the Parliament governs the legislators. This law allows the parliament to organize temporary committees for certain matters. The committees must have at least 12 members according to Article 24 of the Law on the Parliament. The Chairpersons of the Standing Committees are Advisors to the National Security Council, headed by the President.¹⁹

These standing committees conduct hearings, prepare reports, and recommendations on various significant issues, propose legislation, oversee the activities of the executive body (the

¹⁶ Like Eastern European countries, Mongolia has chosen the strong parliament and weak presidential system intended to prevent the resurgence of totalitarian or authoritarian governments that existed previously in those countries.

¹⁷ In Mongolian the parliament is called State Ih Hural (*ih* means great and *hural* means assembly). Term of the State Ih Hural (SIH) is used in most official documents in English.

¹⁸ The Constitution of Mongolia, art.27.

¹⁹ *National Security Council*, (Ulaanbaatar: National Security Council, 1998), p. 90.

Government), discuss the budget, and oversee the execution of the legislation within their jurisdiction enacted by the SIH. Several of these Standing Committees have subcommittees.

Since the adoption of the new Constitution, there have been two parliamentary elections. The first SIH was elected on June 28, 1992. The Mongolian People's Revolutionary Party (MPRP), a descendent of the old Communist Party, won 71 of 76 seats in the SIH, and the Mongolian National Democratic Party (MNDP) and Mongolian Social Democratic Party (MSDP) shared the remaining five seats and formed an opposition coalition. During the first SIH, the ratio of majority and minority parties in the parliament was so lopsided that the democratic opposition had very little influence on legislation.

The second parliamentary elections in June 1996 erased the extreme imbalance between the majority and minority parties. The Democratic Coalition, a union of liberal parties led by the MNDP and the MSDP won a landslide victory, 50 seats out of 76. The two parties formed a coalition government that remains in office today. Since the 1996 election, legislation could not be enacted without the consideration of majority and minority parties' views.

2. Power Sharing with the President and the Prime Minister

Under the powers of the Constitution, the SIH's legislation has a preeminent role in determining domestic and foreign policies as well as to ratify international treaties and agreements. The powers of the SIH also include recognizing the President upon his election, dismissing the President, appointing and dismissing the Prime Minister and individual members

of the Government, determining the composition and powers of the National Security Council, holding referendums, and declaring a state emergency.²⁰

The President of Mongolia is the head of the State and embodiment of the unity of the people. Furthermore, the President is the Commander-in-Chief of the Armed Forces and the head of the National Security Council.²¹ A national majority elects the President for a four-year term. The Constitution limits the President to a two-term-limit. The Constitution gives three important powers to the President. First, the President has the power to initiate legislation. Second, the President has the right to veto all or parts of the SIH legislation; however, a two-thirds majority of the SIH can overrule his veto.²² Finally, the President has the power to influence the composition of the executive body of the Parliament, the Government, by confirming the Prime Minister and his cabinet members.

The Constitution provides that in the absence, incapacity, or resignation of the President, the Chairman of the SIH shall exercise the President's full power until the inauguration of the new president.²³

The Constitution stipulates that the Government of Mongolia is the highest executive body of the State. In the Mongolian case, the executive body, which is called the Government, is organized by the party with a majority of the seats in the parliament or a coalition of parties that constitutes a majority. The executive body's main duties are to direct economic, social, and cultural development of the country based upon laws of the land and to initiate legislation.²⁴

²⁰ The Constitution of Mongolia, art.25.

²¹ Ibid., art. 30.

²² Ibid., art. 33.

²³ Ibid., art. 37.

²⁴ Ibid., art. 38.

In summary, the Constitution clearly makes the SIH the preeminent branch of the Mongolian governmental system while ensuring checks and balances among the four branches of the government, including the Parliament, the Prime Minister, the President, and the Constitutional Court.

B. THE STATE IH HURAL AND CIVILIAN CONTROL OF THE ARMED FORCES

1. Constitutional Powers

The 1992 Constitution forms the cornerstone for civilian oversight and control of the Armed Forces. The State Ih Hural along with the President and the Prime Minister are responsible for implementing and consolidating democratic civilian control in the Armed Forces and making far-reaching decisions on the nation's security and defense matters.

The Constitution provides the SIH with the following powers directly and indirectly concerning defense and the Armed Forces:

- to legislate for defense and Armed Forces activities
- to oversee the implementation of laws and other decisions of the State Ih Hural
- to approve the Government's defense program and budget
- to determine and change the structure and composition of the Government and other bodies (i.e., the Ministry of Defense and its agencies) directly accountable to it
- to declare a state of war or a state of emergency
- to determine the structure, composition, and powers of the National Security Council
- to establish titles, orders, and bestow medals and higher military ranks.²⁵

²⁵ Ibid., art. 25.

As derived from the Constitution, the SIH has the four most important powers to exercise civilian oversight and control of the military: (1) to pass legislation concerning defense and security issues, (2) to allocate the defense budget, (3) to determine the structure and composition of the Armed Forces, and (4) to declare war. Because the SIH approves the nomination of the Prime Minister and the civilian Defense Minister, they in turn are accountable to the SIH for implementing the defense legislation and executing civilian control over the Armed Forces.

The SIH exercises its constitutional powers of civilian oversight and control of the Armed Forces through: (1) the defense-related committees, (2) the Prime Minister, and (3) the civilian Defense Minister.²⁶

2. The Defense-Related Committees

In the current SIH there is no single committee singularly responsible for the defense and Armed Forces' issues. The Standing Committee on Security and Foreign Policy as well as the Standing Committee on Budget execute oversight of the military while other committees have virtually no jurisdiction over security and defense matters.²⁷

The Standing Committee on Security and Foreign Policy is in charge of all proposed legislation and other matters on the following issues:

- national security policy
- defense and Armed Forces
- state security
- state border and its protection

²⁶ The official term for the civilian Defense Minister is the Government Member and Defense Minister.

²⁷ Those two committees are the defense-related committees of the SIH.

- foreign and diplomatic policy
- state policy toward international treaties and organizations.²⁸

Moreover, the committee performs general oversight on the structure and management of the MOD, and it also studies defense-related issues on a comprehensive basis with reports to the SIH.

Another defense-related committee is the Standing Committee on the Budget. This committee is responsible for the state budget, including the defense budget.

Within their jurisdiction, both committees closely examine the progress of the MOD in implementing the legislation and the budget passed by the SIH. Like other defense committees in post-communist countries, Mongolian defense-related committees lack basic information, appropriate financial resources, and the necessary number of experts or advisors assisting legislators in their lawmaking and supervising activities.²⁹

3. The Government

The Government consists of the Prime Minister and cabinet members. As an executive body, the Government has closer relations with the Armed Forces than the SIH. Under the Constitution, the Government is responsible for strengthening the country's defense capabilities and for ensuring national security.³⁰ The Government's responsibilities for the country's defense are more specifically stated in the Law on Government of Mongolia. The Government of Mongolia is assigned:

²⁸ Law on the Parliament, art.13.

²⁹ Joo, p. 26.

³⁰ The Constitution of Mongolia, art. 38.

- to work out national defense, security and military policies
- to implement measures on strengthening the Armed Forces
- to direct activities for safeguarding the state frontiers
- to work out and implement measures on ensuring the national security
- to take measures on forming and replenishing material reserve funds necessary for the country's defense capabilities and ensuring national security
- to undertake measures for protection of the population from natural disasters and other sudden threats, prevention and elimination the consequences thereof, and to direct civil defense activities.³¹

The Prime Minister is assigned as the head of the civil defense and his defense minister as the Chairman of the State Permanent Emergency Commission. This arrangement is beneficial for the Armed Forces because the Government is the central power to initiate and implement legislation. Moreover, local administration units in 23 provinces have military departments responsible for all local military and civil defense activities. As a result, the Government's civil defense functions have an important role in maintaining the close cooperation of administrative officials with the Armed Forces at the local level.

According to its constitutional responsibilities, the Government must present its policy and program in the SIH.³² Upon being formed in 1996, the coalition government presented its action program, *The Action Program of the Government of Mongolia 1996-2000*, to the SIH. This program was subsequently approved by the SIH. The action program set out the Government's intentions in the national defense sector as follows:

- to create an integrated national defense system
- to reform the Armed Forces and strengthen border troops
- to develop civilian control and public administration management in military organizations
- to establish a legal basis for the MOD and the General Staff of the Armed Forces

³¹ *Mongolian Defense White Paper, 1997-1998*, (Ulaanbaatar: Mongolia's Institute for Strategic Studies Press, 1998), p. 109.

³² The Constitution of Mongolia, art. 38.

- to develop and adopt a legal basis for the nomination of the civilian minister of defense.³³

Formed by the SIH, the Government of Mongolia through its civilian Defense Minister is the primary political institution which exercises direct civilian oversight and control of the Armed Forces.

4. The Civilian Defense Minister

Under the new Constitution, for the first time, the Defense Law stipulates that the post of the Minister of Defense can be held by a civilian political appointee who will implement democratic civilian control of the Armed Forces.³⁴ Accordingly, the civilian Defense Minister of Mongolia becomes the principal defense policy adviser to the Prime Minister and is responsible for formulating the general defense policy and for executing it upon approval. Subordinate to the SIH and the Prime Minister, the civilian Defense Minister exercises authority over the Ministry of Defense, which includes directorates, coordination, and implementing agencies.

Since 1996, the coalition government has appointed three civilian Defense Ministers. In the case of all three Defense Ministers, the Democratic Coalition in the SIH was looking for a party member with military experience for the Defense Minister's post. In retrospect, we find changes in the Government negatively impacted the implementation of the new defense policies. Rudolf Joo listed these drawbacks as follows:

First, civilians are prevented from getting more fully acquainted with defense matters. Second, the image the military has of civilian politics suffers: politicians

³³ *Mongolian Defense White Paper*, p. 110.

³⁴ In May 1998, the SIH enacted a new national military doctrine, the Fundamentals of the State Defense Policy, initiated by the Commander-in-Chief. This document confirms that the political basis of the Mongolian military is the civilian control of the Armed Forces. See *Mongolian Defense White Paper*, pp. 39-40.

are seen as very temporary creatures whose impact on defense policy is, after all, negligible. Last but not least, democracy is itself discredited.³⁵

Although the Defense Minister appears to have established effective civilian control of the Mongolian Armed Forces, several further measures are needed. Initially, the role of the minister should be articulated more clearly, for presently, the Law on the Government does not specifically set out the range of responsibilities to the civilian Defense Minister. Second, whether the Defense Minister has military experience or not, he needs a separate staff containing civilian defense experts. Indeed, capable civilian experts would be able to cooperate with the SIH and formulate more effective defense policies. Furthermore, these people would also provide a continuity of defense policy and well-developed programs. Finally, regulating the process of establishing the civilian Defense Minister's staff is needed. The current practice is that once appointed, the new civilian Defense Minister staffs his team with military officers because of inadequate civil servants and experts. In this case, forming a civilian Defense Minister's team with military ranking officers could lead to the politicization of the officer corps at the MOD level.

Indisputably, the Defense Minister is in charge of implementing new defense policies and parliamentary control of the military. Now the remaining challenge is to strengthen the role and authority of the civilian Defense Minister.

³⁵ Joo, p. 45.

C. INFORMATION & EXPERTISE FOR THE SIH

1. New Responsibilities

In the new security environment of Mongolia, restructuring its national defense forces in accordance with the nation's security policies and resources available for defense is important. To restructure and to maintain the national defense forces is the constitutional responsibility of the elected officials, including the President, the Prime Minister, and Members of the Parliament. In this regard, the SIH has the legislative responsibilities to establish a national defense structure, to include organizing and specifying the missions and capabilities of defense-related institutions, like the MOD and the General Staff of the Armed Forces. The SIH also controls the budget allocations for defense institutions.

At this time, the SIH is handicapped in carrying out its national security responsibility. Consequently, it is difficult, if not impossible, for legislators to exercise their constitutional responsibilities with respect to the above-mentioned powers. Without knowledge about the Armed Forces and defense, members of the parliament will pay little attention to defense issues. If the situation continues, the Armed Forces will clearly be isolated from the parliament. In the long run, the parliament members, in seeking resources for other programs, might be eager to cut the defense budget. This could create significant tensions between the military and the Government.

2. New Defense Legislation

Considering the new Constitution as the legal foundation for subsequent defense and security legislation, Mongolian democratic legislators since 1992 have passed a number of legal acts concerning security and defense policy.

The most vital legislative act, the Concept of National Security of Mongolia, was adopted by the SIH in 1994. This act provides the legal basis for the NSC and defines the national interest, the security system, and means to strengthen national security and defense.

The SIH also passed the Defense Law, State Border Law, Law on the Civil Defense, Law on the State of Emergency, Law on the State of War, Law on Stationing and Passing of the Foreign Troops, Mobilization Law, and Law on the Military Duties of the Citizens of Mongolia and the Legal Status of Servicemen. These laws serve as the legal framework for reorganizing the defense system.

Despite the apparent progress, it must be recognized that the MOD along with other ministries, has formulated legislation by itself and proposed it solely for legislators' consideration. Some of these laws have strengthened the old status of those ministries and have become obstacles for the consolidation of democracy.³⁶ This is an improper way to legislate in democratic societies. The main problem is that the SIH does not have sufficient information and expertise to consider and change proposed legislation.³⁷ The former director of the Mongolia's Institute of Strategic Studies, Dr. Bold, notes that due to the lack of information and expertise,

³⁶ Chimid, "Tsalin Tavihiin Toloo Bish Huuli Bieluulehiin Tuld Zasgyn Gazar Baidag." *Odryn Sonin*, 23 September 1999.

³⁷ Bold Erdene, "Herhvel Parliament Jinhene Utgaaraa Toriin Deed Erkhiiig Barih Ve?" *Odryn Sonin*, 7 December 1999.

"the current SIH did not consider the defense policy as a political policy, and it has passed irrational legislation, which disintegrates the Armed Forces of a small country by their professional differences."³⁸ The current example is that even though the Constitution declared the existence of the Armed Forces, which includes the border troops under its unified command structure, most legislators are still supporting the independence of the border troops.

3. Expertise and Information

The three main expertise and information sources for the legislators are (1) the Ministry of Defense and its research institute, (2) military officers who were elected as Parliament Members, and (3) Parliament Members who had some kind of military experience, such as serving in the Armed Forces or working in defense-related organizations.

No significant efforts have been made to furnish sufficient and reliable defense expertise for members of parliament. Therefore, they are forced to take the word of the military officers at the MOD and accept defense related bills initiated by the President and formulated by the MOD. Since 1992, the MOD and the General Staff have been the only sources of defense and security information for the defense-related committees. Besides military officers and the MOD, there is no alternative information source or civilian military expertise available for legislators.

Defense budget compilation is another area in which the legislators lack expertise. The government often proposes an insufficiently-itemized defense budget, which makes it difficult for legislators to debate and oversee.³⁹ "Moreover, the Defense Minister is legally bound only

³⁸ Bold Ravdan, *Mongolyn Ayulgui Baidlyn Orchin, Batlan Hamgaalah Bodlogyn Zarim Asuudald*, (Ulaanbaatar: Mongolia's Institute for Strategic Studies Press, 1996), p. 261.

³⁹ Janusz Onyszkiewicz, "Poland's Road to Civilian Control," in *Civil-Military Relations and Democracy*, Larry Diamond and Marc F. Plattner, pp. 107-108.

by the overall budget and not by the itemized list, which gives him considerable discretion and undercuts parliamentary control.”⁴⁰

The current election system provides an opportunity for active military personnel to exercise their own civil right to seek election to the SIH. The number of the military representatives in the SIH, however, since the 1992 parliamentary election, has not exceeded two.

Two military colonels, Jalbajav, chief of the Social Science Department of the Military Academy, and Bazardsad, chief of staff of the Border Troops, were elected in the 1992 SIH. Although a number of military personnel ran as independent candidates or on behalf of political parties in the 1996 parliamentary elections, no active duty military personnel were elected. Generally, military officers who run in the elections represent their electoral district constituency, and as a result, they are not representing the military in the parliament.

The number of people who served in the Armed Forces or had some experience working in the defense organizations is very small. Dr. Bold stresses that “the parliament should implement its control over the defense system by discussing the defense budget in a very detailed manner and by participating in an assessment of the rational defense need of the country.... In this kind of situation, the Research Center of the SIH has a crucial role to provide legislators with defense related information.”⁴¹

There is no current training and information system on security and defense issues for the future political leaders. The Institute for State Administration and Management does not offer

⁴⁰ Ibid.

⁴¹ Bold, p. 263.

any security or defense courses, not even a lecture. This inadequacy also applies to the political party training systems. The country's most prominent university, the Mongolian National University, does not have any national security related courses. In 1999, the government changed the name of the Mongolian Military Academy to the Mongolian Defense University.⁴² This was considered one step toward preparing defense expertise, but nothing substantial has been achieved so far.

To establish a training mechanism for civilian defense expertise in order to exercise and consolidate the civilian control system effectively is imperative. "Civilian defense-policy experts are needed to interpret military needs for elected officials and serve as interlocutors between the armed forces and society."⁴³

D. CONCLUSION

In theory, the State Ih Hural has an enormous responsibility to oversee the defense, but in reality, it clearly lacks access to defense information and civilian defense expertise. Under the 1992 Constitution, the State Ih Hural of Mongolia is given powers to enact defense-related legislation, allocate the defense budget, approve the structure and composition of defense organizations, and declare war. The State Ih Hural exercises its civilian oversight and control of the Mongolian Armed Forces through the defense-related committees, the Prime Minister, and the civilian Defense Minister.

⁴² *Odryn Sonin*, 3 June 1999.

⁴³ Goodman, p. 41.

There is a clear need for the Standing Committee on Security and Foreign Policy to provide parties in the Parliament with sufficient and reliable information in order to inspire broad participation of the Parliament Members in defense and security policy and budget deliberations. The committee needs a staff of civilian defense experts and a non-partisan information and research center.

Even though the Mongolian MOD has a civilian political appointee as the top decision-maker, civilian control is hardly established. The civilian Defense Minister cannot control the defense-related organizations alone without civilian defense experts and civil servants. The civilian Defense Minister needs to have more clearly defined roles and powers. Moreover, a staff of civilian experts is needed to counterbalance the influence of high-ranking military officers.

At present the legal responsibility for oversight and control of the Armed Forces is clear. The challenge is how to implement effective civilian oversight and control mechanisms. Unless ways are found to prepare civilian experts who are able to advise elected officials in the SIH's defense-related committees and the civilian Defense Minister, the gap between the legislators and the military will deepen. To furnish information sources and civilian defense expertise for legislators, the Mongolian Government should analyze how legislative institutions in developed democracies provide their legislators with information and expertise on defense, and what mechanisms connect the legislators to the Armed Forces. There are various solutions to this particular issue in other democracies. This thesis evaluates the U. S. case and how the United States Congress participates in the defense decision making process and how it provides defense information and expertise for legislators.

III. THE DEMOCRATIC CIVILIAN CONTROL OF THE ARMED FORCES: THE UNITED STATES CONGRESS

The U. S. Congress has enormous influence in the defense decision-making process that is led by the President of the United States. To maintain its influence over defense matters, Congress has strengthened itself with sufficient information and expertise. Congressional staff, support agencies like the Congressional Budget Office (CBO), and information from the Department of Defense (DOD) and the Joint Chiefs of Staff, along with additional information from the non-governmental organizations and think-tanks, help the Congress participate more effectively in defense policy-making.

A. THE UNITED STATES CONGRESS

1. The U. S. Congress

The Congress of the United States consists of two houses; the Senate, in which two senators represent each state for six-year terms, and the House of Representatives, to which members are elected for two years on the basis of population. These two chambers have an equal role in the lawmaking process.⁴⁴

As defined in the Constitution, Congress has the power to collect taxes, borrow money on the credit of the U. S., regulate commerce, coin money, declare war, raise and support the Armed Forces, and make all laws necessary for the execution of its powers.⁴⁵ Although the Congress is an independent policymaking body, the Congress, the President, and the judicial branch have a check and balance relationship among them. For example, the Senate is given important powers

⁴⁴ The Constitution of the United States of America, art. 1.

⁴⁵ Ibid.

under the “advise and consent” provisions of the Constitution: ratification of treaties, approval of important public appointments, such as Cabinet members, ambassadors, and the judges of the Supreme Court.⁴⁶ In turn, the President has the power of vetoing or signing proposed legislation of the Congress.

Under the Constitution, the President is expected to keep the Congress informed of the need for new legislation and the government departments and agencies are required to send Congress periodic reports of their activities.⁴⁷ The Congress also has authority to investigate and have hearings focusing on agencies and departments when it is necessary.

The Congress has approximately 44 committees with 154 subcommittees.⁴⁸ Committees are central to congressional policy making. They become the most important points of access to Congress for outsiders, such as administrators, special interest groups, and the general public. The House and Senate have their own committee systems, which have similar jurisdiction over executive departments and agencies. There are three types of committees—standing, select, and joint. This chapter will mainly discuss the standing committees, which are oriented on defense. Standing committees generally have legislative jurisdiction and most operate with subcommittees that handle a committee’s work in specific areas of the executive departments and agencies.

⁴⁶ Ibid., art. 2, sec. 2.

⁴⁷ Ibid., art. 2, sec. 3.

⁴⁸ Vincent, Carol H., “The Committee System in the US Congress,” Available [Online] 10 May 1995 <http://www.house.gov/rules/95-591.html>. 4 October 1999.

2. The U. S. Congress and Civilian Control of the Military

In contrast to the limited, specific authority granted to the President, the Constitution allocates considerable powers to Congress with regard to national security and civilian control of defense.

Article I, Section 8 assigns Congress the power "to provide for the Common Defense," "to raise and support Armies," "to provide and maintain a Navy," "to declare War," and "to make Rules for the Government and Regulations of the land forces." Congress also has general powers to approve the government budget.⁴⁹ Congress delegates some powers of civilian control to the executive branch and holds officials accountable for their performances.

Clearly, with power to make regulations for defense and appropriate funding for the defense, Congress has a great influence on the U. S. defense policy. The Constitution made the Congress a highly influential policy making institution by granting it the power of the purse.⁵⁰

Senate Armed Services Committee (SASC), House Armed Services Committee (HASC), and Appropriation Committees in both chambers are major actors in congressional defense policy making, more specifically in the defense organization process, annual defense budget process, and other major defense policy matters.

⁴⁹ The Constitution of the United States of America.

⁵⁰ Glen Browder, "Congress and the Pentagon: Bridging the Civil-Military Gap in the New Millennium," draft, Naval Postgraduate School, Monterey, California, 16 June 1999, p. 13.

B. DEFENSE COMMITTEES, COMMITTEE STAFF, AND CONGRESSIONAL BUDGET OFFICE

1. Defense Committees

In 1950, the U. S. defense policy was controlled primarily by the appropriations subcommittee on defense. Control of the defense policy had been wrested away from the appropriations subcommittees. Subsequently, the Armed Services Committees were considered the most important actors.⁵¹ Lindsay explained the armed services committees' success in becoming major actors in defense policy. He pointed out four factors: the growth of the authorization process of the committees; subcommittee reforms in the 1970s (decentralization process); vast expansion of committee staff; and, strong chairs on both committees.⁵²

Both the Senate Armed Services Committee (SASC) and the House Armed Services Committee (HASC)⁵³ have broad jurisdiction over the activities of the Department of Defense and other defense-related organizations. The jurisdiction of the SASC is as follows:

- Aeronautical and space activities associated with the development of weapons systems or military operations
- The common defense
- The Department of Defense, the Departments of the Army, Navy, and Air Force generally
- Military research and development
- National security aspects of nuclear energy
- Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents

⁵¹ Weiner, Sharon K., *Defending Congress: The Politics of Defense Organization*, (Boston: unpublished Ph. D. thesis, Massachusetts Institute of Technology, 1998), p. 224.

⁵² Lindsay, James M., *Congress and the Politics of US Foreign Policy*, (Baltimore: The John Hopkins University Press, 1994), pp. 59-61.

⁵³ House Armed Services Committee is also termed as the House National Security Committee.

- Strategic and critical materials necessary for the common defense.⁵⁴

The SASC is divided into subcommittees: Airland, Emerging Threats and Capabilities, Personnel, Readiness and Management Support, Sea Power, and Strategic Issues.

The House Armed Services Committee has a jurisdiction similar to that of the SASC.

The jurisdiction of HASC is as follows:

- Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments
- Common defense generally
- Conservation, deployment, and use of naval petroleum and oil shale reserves;
- The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally
- Inter-oceanic canals generally
- Merchant Marine Academy, and State Merchant Marine Academies
- Military applications of nuclear energy
- Tactical intelligence and intelligence related activities of the Department of Defense
- Armed Services aspects of merchant marine
- Pay, promotion, retirement, and other benefits and privileges of the members of the armed forces
- Scientific research and development in support of the armed services
- Selective service
- Size and composition of the Army, Navy, Marine Corps, and Air Force
- Soldiers' and sailors' homes
- Strategic and critical materials necessary for the common defense.⁵⁵

The HASC is organized into five subcommittees: military installations and facilities; military personnel; military procurement; military readiness; and military research and development. The subcommittee system in the Congress allows the defense committees to be involved in defense policy details and to make in-depth investigations on major issues.

⁵⁴ Senate Armed Services Committee (SASC) Available [Online] 10 May 1995
http://www.senate.gov/~armed_services 10 December 1999.

⁵⁵ House Armed Service Committee (HASC) Available [Online] 16 July 1995
<http://www.house.gov/hasc/> 15 December 1999.

There are appropriations committees in both chambers of Congress. The Senate Appropriations Committee has two subcommittees which have oversight in defense policy: the Defense Subcommittee of Appropriations and Subcommittee on Military Construction. The House Appropriations Committee also has two subcommittees on defense: the Military Construction Subcommittee and National Security Subcommittee.⁵⁶ The House and Senate Budget Committees also play an important role by determining the overall spending levels for defense in a given fiscal year.⁵⁷ The defense appropriations subcommittees then use those spending levels as the basis for appropriations of the funding for the programs that the Armed Services Committees authorize.⁵⁸

Sharing the power of the purse, the Armed Services Committees usually oversee the annual defense authorization bill. This legislation covers the breadth of the operations of the Department of Defense (DOD). The American annual national defense budget is approximately \$270 billion, which involves millions of military and civilian personnel, thousands of facilities, and hundreds of agencies, departments, and commands located throughout the world.⁵⁹

⁵⁶ It is also called the Defense Subcommittee.

⁵⁷ Interview with Professor Stockton, Naval Postgraduate School, Monterey, California, September 1999.

⁵⁸ Armed Services Committees are authorizing committees and the Defense Appropriations Subcommittees are appropriating committees. In terms of budget, Congress has a two-step financial procedure: authorizations and appropriations. Congress first passes authorization laws that establish federal agencies and programs and fund them at certain levels. Congress then enacts appropriation laws that allow agencies to spend money. An authorization needs to be validated by an appropriation. See Davidson, Roger H., and Oleszek, Walter J., *Congress and Its Members*, (Washington, D. C.: Congressional Quarterly Press, 1981), p. 327.

⁵⁹ House Armed Service Committee (HASC)

<http://www.house.gov/hasc/>

In addition to the defense budget, the Armed Services Committees oversee the structure and management of the Department of Defense. The committees also play an incredible role in shaping the composition and structure of the Department of Defense and other defense-related organizations. Since World War II, legislators have reorganized the defense department five times—in 1947, 1949, 1953, 1958, and 1986. The last change, known as the Goldwater-Nichols Defense Reorganization Act, made fundamental changes in defense organizations. The HASC and SASC have always attempted to maintain authority over the defense organizations.

The Armed Services Committees conduct in-depth investigations of military operations and major events, assess the threats to national security, study legislative initiatives, and other various issues which fall within their jurisdiction. The Armed Services Committees are deeply involved in defense policy-making. They influence congressional defense policy because “the committees have more military expertise than the rest of Congress, have more extensive and intimate working relationships with the military, and have a vehicle that requires routine interaction: the annual defense authorization process.”⁶⁰ Finally, if we consider the Armed Services Committees as the defense experts of the Congress, then we must recognize the key contributions of their staffs in providing the support necessary for the defense committees to play a crucial role and maintain power over the defense.

2. Committee Staff

Due to the two-party political system, Democratic and Republican, committees have two leaders: the chairman from the majority members and the ranking minority member. As a result,

⁶⁰ Weiner, p. 222.

all committees also have majority/minority staff. However, even though staffs are allocated between Democrats and Republicans, most committee staff work in a bipartisan fashion.⁶¹ The degree of partisanship varies among committees. "The staff for the authorizers (i.e., armed services committees) is quite partisan, with Republicans and Democratic staff offering independent analysis on defense issues. The appropriations staffs tend to be much less partisan—more like accountants, less like politicians."⁶²

The committee staff functions differ from committee to committee. In general, however, the committee staff consists of administrative (chief clerk), substantive (professional aides), political (staff director and chief council), and public relations (press officer). Among them, the professional staffs are policy specialists who help committees develop and evaluate policies, suggest alternatives to legislation, advise members how to vote, oversee the administration of laws, and perform numerous other tasks. The following excerpt is a clear definition of committee staff:

In the end, the job of the staff is to help the committee do what it wants to do—to help it come to a decision and to help it implement a decision once it is reached. The staffs are nonpartisan in the sense that (1) they are not trying to play politics with the issue but are trying to help the committee come to a decision; (2) whoever comes along, they will try to give the same devoted service; and (3) they will not start from a political premise in their work but will start from a professional premise.⁶³

More importantly, a significant percentage of the professional staff members in committees have worked in their respective jobs for nearly ten years. These long tenure

⁶¹Lindsay, James M. *Congress and Nuclear Weapons*. (Baltimore: The John Hopkins University Press, 1991), p. 32, and Lindsay, 1994, p. 72.

⁶² Interview with Professor Stockton, 1999.

⁶³ Davidson and Oleszek, p. 252.

members become the main sources of legislative history and background for new programs. They help new legislators make effective decisions.⁶⁴

One of the advantages of the U. S. Congress is that the pool of the defense intellectuals was well established during the Cold War. Consequently, those experts are available for the Congress. Former congressional staff members point out that typical sources of staff are retired military officers, graduates of MA or PHD programs in political science or international relations, professors, researchers, and experts in the defense sector.⁶⁵

In order to be independent from the executive branch and exercise its duty of providing guidance on major defense issues, Congress and particularly the defense committees, must have sufficient professional staff members as well as specialized experts from the legislative support agencies, such as the Congressional Budget Office (CBO), General Accounting Office (GAO), Congressional Research Service (CRS) and Office of Technology Assessment (OTA). They support legislators to participate more actively and broadly in defense policy-making process. This thesis will discuss briefly the CBO as an example.

3. Congressional Budget Office

The defense budgeting process is a vital tool for the Congress to control and maintain its influence over the military. To do this, Congress created the House Budget Committee, the Senate Budget Committee, and the Congressional Budget Office (CBO). The mission of the

⁶⁴ Interview with Professor Barrett, Naval Postgraduate School, Monterey, California, October 1999.

⁶⁵ Interview with Professor Stockton, 1999.

CBO is to provide Congress with objective, timely, nonpartisan analyses needed for economic and budget decisions.⁶⁶

The speaker of the House of Representatives and the President pro-tempore of the Senate jointly appoint the CBO Director, after considering the recommendations from the two budget committees. They provide members and other committees with information and independent assessments of the president's annual budget.⁶⁷

Like other congressional support agencies, the CBO operates in a non-partisan fashion. Economists dominate the CBO; nearly all of the CBO's professional staff has completed four or more years of college; 75 percent have graduate degrees.⁶⁸ The CBO has separate "budget" and "program analyst" staffs. This separation enables the CBO to provide both budgetary assistance and in-depth policy analysis of specific issues.⁶⁹ Having professional staff and expertise, the CBO becomes a legislative counterpart to two White House offices: the Office of Management and Budget and the Council of Economic Advisers.

The CBO prepares five-year cost projections on proposed legislation, keeps daily records of congressional spending decisions, assesses the inflationary impact of major bills, and forecasts economic trends. The CBO also proposes alternatives for the Congress to consider, evaluates the

⁶⁶ *Responsibilities and Organization of the Congressional Budget Office*, (Washington, D. C.: Congressional Budget Office), 1998, p. 1.

⁶⁷ American defense budgeting can be viewed as a three-step process: (1) origination with the President, (2) debate and passage by the Congress (3) then returned to the Executive office for implementation. (See Browder, *Congress and the Pentagon: Bridging the Civil-Military Gap in the New Millennium*.) After the President submits the budget estimates, the Congressional Budget Office studies his budget estimates and reports to the Budget Committee and other interested committees and members.

⁶⁸ Lecture given by Christopher Jehn, Naval Postgraduate School, Monterey, California, September 1999.

⁶⁹ *Responsibilities and Organization of the Congressional Budget Office*, p. 9.

costs and benefits of fiscal options, and studies programs that affect the federal budget. Legislators during congressional debates often cite the reports of CBO.⁷⁰

The CBO also assists the defense committees. They prepare analyses related to national security and defense issues like military manpower, strategic forces, general-purpose forces, and other programs of the Department of Defense. Those reports examine the costs, other economic effects, and strategic significance of current defense programs, proposed legislation, and alternative programs of interest to Congressional committees.⁷¹

C. DEFENSE INFORMATION AND EXPERTISE FOR THE CONGRESS

1. Governmental Sources

Besides committee professional staff and the CBO, U. S. legislators obtain information and alternative, independent views from governmental and non-governmental sources.

The Secretary of Defense, Chairman of the Joint Chiefs Staff (JCS), and individual service secretaries and chiefs of staff, regional Commanders-in-Chief, other officials of the Department of Defense, military departments, officials of the CIA, and other defense-related intelligence agencies, and also officials of the Department of Energy provide the view of the administration and the military to the Congress.

As a principal defense policy adviser to the President, the Secretary of Defense is the administration's principal spokesperson to the Congress in defense matters. The Office of the Secretary Defense is required "to develop information and data, prepare reports, and/or

⁷⁰ Ibid.

⁷¹ Ibid., 7.

testimony for presentations to Congressional Committees or in response to congressional inquiries, and to represent the DOD with Congressional Committees or individual members of the Congress.”⁷² The Office of Secretary Defense (OSD) prepares the *Secretary's Annual Report to the President and Congress*.

In order to monitor the implementation of legislation, the Congress established the position of the Inspector General, who is responsible for conducting, supervising, monitoring, and initiating audits, investigations, and inspections relating to programs and operations of the DOD. The Inspector General is also responsible for keeping the Secretary of Defense and the Congress informed of problems and deficiencies in the administration of programs and operations and the necessity for, and progress of, corrective action.⁷³

Two OSD officials are primarily responsible for maintaining the DOD relationships with the Congress: The Assistant Secretary of Defense for Legislative Affairs (ASD (LA)) and The Under Secretary of Defense (Comptroller). Under the direction of the Secretary Defense, the ASD (LA) is the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for DOD relations with the members of Congress. The ASD (LA) is responsible for the following areas:

- DOD legislative program coordination
- Congressional liaison, including arrangements for witnesses and testimony of the Congress hearings

⁷² DOD Organization and Functions Guidebook, Available [Online]: September 1996
<http://www.defenselink.mil/pubs/ofg/index.html> 15 December 1999.

⁷³ Ibid.

- Congressional inquiries
- Security clearances for the members of the Congressional Staff
- Control and oversight of the limitations placed on DOD legislative affairs by Congress.

The Under Secretary of Defense (Comptroller) supervises and directs the formulation and presentation of Defense budgets, the interactions with the Congress on budgetary and fiscal matters, and the execution and control of approved budgets. The Comptroller maintains effective control and accountability over the use of all financial resources of the DOD.⁷⁴

Congressional Liaison Staff of the Office of Secretary Defense has an active role in bridging the Congress and DOD. The power separation between the legislative and executive government branches generates a gap between Congress and the military; therefore, "each service also maintains a legislative liaison office whose purpose is to monitor the activities of the defense committees and to make sure that members of Congress have the information they need to make good decisions about national security policy."⁷⁵ Besides keeping the Congress informed on defense and military service matters, their hidden tasks are to lobby the Congress. Of course, they have varying degrees of success. Also, the rivalry between the services has helped the Congress gain information and be more deeply involved in defense policy.⁷⁶

⁷⁴ Ibid.

⁷⁵ Lecture handout given by James Schweiter, Naval Postgraduate School, Monterey, California, December 1999. Mr. Schweiter is the current Minority Staff Director of the HASC.

⁷⁶ The U. S. Armed Forces have four services: Army, Navy, Air Force, and Marine Corps. Those services have a long lasting rivalry in persuading Congress to develop weapons programs and manpower requirements.

Analyses and recommendations in defense policy and programs generated from the service institutes and colleges are disseminated to the legislators. For example, the Strategic Studies Institute, co-located at the U. S. Army War College, conducts strategic studies and recommends policy to the Department of the Army. Those defense and military service institutes publish special reports on topics of strategy, planning and policy and prepare rapid responses to the requirements of the Office of the Secretary of the Army, OSD, NSC, and Congress. In addition to the governmental sources and connections, the non-governmental organizations have credible input to the Congress on defense policy-making.

2. Non-governmental Organizations

As the late Representative Les Aspin pointed out, "To most Congressmen, defense experts are people in uniform, rather than academics in universities or 'think tanks.' Uniforms are identified with expertise: the higher the rank, the greater the expertise."⁷⁷ While there may be much truth in his point, academics in universities and think tanks are valuable sources of information for Congress. Therefore, committees will invite the views and perspectives of outside experts in academia, industry, and those in private life on defense matters.

The non-governmental sources of information are think tanks and the media. Their defense experts enable Congress to look at issues from all angles and political stances. For instance, Congress could get liberal views from the Center for Defense Information, conservative views from the Heritage Foundation, and moderate views from the Brookings Institute in defense and security policy.

⁷⁷ See Lindsay, 1991, p. 156.

Members of Congress and key congressional staff members are primary audiences of those independent academic communities. There are a number of leading think tanks in the U. S. defense policy. They are the RAND Corporation, the Hoover Institute, and the Center for International Security and Cooperation, the Center for Defense Information, the Center for Strategic and International Studies, the Heritage Foundation, and the Brookings Institute. All are research and educational centers. For instance, the mission of the Heritage Foundation is "to formulate and promote conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and strong national defense."⁷⁸

To provide more unity of effort and teamwork in the pro-defense community, the Heritage established the National Security Symposium in 1995 under the leadership of former Senator Malcolm Wallop. Organized by the Defense Policy Studies and External Relations departments, the Symposium offers periodic meetings at which defense experts, congressional staff, and industry specialists can identify the key issues and priorities of national security policy. The Symposium emphasizes primary research and gives needed attention to future defense needs.⁷⁹

Think tanks are excellent sources of quality witnesses to testify before congressional hearings. Policy analysts and experts from those think tanks can offer valuable insight on defense policy issues considered during hearings. Those think tanks disseminate research

⁷⁸ The Heritage Foundation Available [Online] 22 April 1996
<http://www.heritage.org/mission.html>. 10 December 1999.

⁷⁹ Ibid.

findings, publications, research books and other news, and facilitate media access to staff expertise. For example, the RAND research staff presents its findings to a wide range of government and private audiences through briefings, testimony, and speeches. A recent RAND congressional briefing presented to the Senate Appropriations Committee and the Defense Subcommittee was on the subject of trends and policy options in military compensation.⁸⁰

Most importantly, analysts from those think tanks are readily available to brief members of Congress, committees, and congressional staff. The Heritage Foundation set up the Governmental Relations' Hotline so that members of Congress and their staffs can get up-to-date information on the issues. "Quite often, members contact NGOs directly for assistance."⁸¹

Following the election of a new Congress, the Heritage offers a New Members Orientation seminar to familiarize new members of Congress with key issues and solutions to tough policy questions.⁸² Some think tanks organize a number of conferences, symposia, and seminars on defense and security issues throughout the year, bringing together their scholars and analysts with members of the Congress, congressional staff, policymakers in the executive branch, the nation's news media, and the academic and policy communities.

In addition, think tanks and major universities, especially those institutions with international relations, security studies, public and foreign policy curricula like those in Harvard, Columbia, and George Washington Universities, have contributed significantly in preparing civilian defense intellectuals to comprehend national security issues.

⁸⁰The RAND Corporation Available [Online] 26 July 1996
<http://www.rand.org/> 27 October 1999.

⁸¹ Interview through email from Dr. Browder, Naval Postgraduate School, Monterey, California, 3 December 1999.

⁸²The Heritage Foundation
<http://www.heritage.org/mission.html>. 10 December 1999.

Finally, the media provides reliable information for legislators on defense and security issues. *The New York Times*, *The Washington Post*, *The Washington Times* are prominent newspapers that inform the public, the defense community, and Congress on defense and encourage defense-related debates. *The Army Times*, *The Navy Times*, *The Air Force Times*, and *The Defense News* cover only defense and service issues. Some specific journals like *The Joint Forces Quarterly* and *Armed Forces and Society* contain articles on military institutions, civil-military relations, arms control, peace making, and conflict management. They provide a forum for exchanging analysts' ideas and opinions on those topics.

D. CONCLUSION

The U. S. Congress became an influential actor in the U. S. defense policy-making after the Second World War. The HASC and SASC are the major committees in defense and security matters because they have sufficient defense expertise and the ability to make rational defense policy decisions by analyzing different views and information.

The professional, bipartisan staff and its bipartisan stance have enhanced the Congress's credibility in defense policy-making. As former Rep. Charles Whalen (R-Ohio) remarked: "...What staff expansion has done, however is broaden a congressman's participation in his field of specialization.... in those areas where he has little personal knowledge, expertise, or committee involvement."⁸³

In the final analyses, the best example that the U. S. Congress will provide to its Mongolian counterpart is that more available expertise and open information systems will

⁸³ See Lindsay, 1994, p. 74.

provide oversight capacity for legislators and improve the quality of civilian control over the Mongolian Armed Forces.

IV. STRENGTHENING CIVILIAN CONTROL OVER THE MONGOLIAN ARMED FORCES

Democratic civilian control of the military has been established with less difficulty in Mongolia than in other new democracies. As discussed in previous chapters, democratically elected Mongolian leaders must reorganize the country's defense structure and must build an effective defense system. The State Ih Hural became the principal actor in reorganizing and exercising civilian control of the Armed Forces. The main challenge, however, is the scarcity of civilian defense expertise and limited access to information for the legislators as well as for the civilian Defense Minister. This chapter suggests several solutions patterned after the system employed by the U. S. Congress. These problems, specifically, are—a lack of civilian defense expertise and access to defense and security information in Mongolian civil-military relations.

A. LAW ON CIVILIAN CONTROL

Foremost, the State Ih Hural must enact legislation on civilian oversight and control of the military.⁸⁴ The main problem that persists is the absence of clearly delineated responsibilities and authorities. Without such designation in law, implementing democratic civilian control is difficult, if not impossible, for civilian officials, whether elected or appointed.

This legislation should define civilian control, regulate defense-related responsibilities among the civilian officials, enhance and clarify the role, power, and authority of the civilian Defense Minister, and clarify the chain of command among the Commander-In-Chief, civilian Defense Minister, and Chief of Staff. Equally important for the Mongolian legislators to clarify

⁸⁴ Molomjamts, "The Mongolian Version of Civilian Control," *Soyombo*, (Ulaanbaatar: The Mongolia's Institute for Strategic Studies, 1999), pp. 117-119.

is what data the MOD should be required to provide. Furthermore, the Mongolian legislators must also clarify how they can debate these issues without violating the fundamental need for military secrecy.⁸⁵ This legislation could also create the post of "Inspector-General of the Armed Forces." The Inspector General would reinforce parliamentary control over the Armed Forces at a time when the SIH and the Government are still experiencing difficulty in effectively controlling the activities of the Armed Forces. Finally, this legislation could possibly increase the transparency and efficiency of the defense budget process.

Without clearly defined roles and powers among civilian and military officials, a simple declaration of civilian control will not work properly. Therefore, the relationships among the SIH, Defense-related Committees, the President, the Prime Minister, the civilian Defense Minister and the Finance Minister should be regulated and their authority and responsibilities must be legally established and defined.

B. THE DEFENSE-RELATED COMMITTEES

1. Committee Staff

The defense-related committees should play a more active role in defense policy-making. Those committees, especially the Standing Committee on Security and Foreign Policy, must strengthen their staff capabilities by recruiting people with military experience and knowledge because the new defense policymaking process will require more defense expertise and research, especially when the parliament deals with defense policy and structure issues. With the help of specialized experts, the quality of legislation and authority would increase significantly.

⁸⁵ Joo, p. 45.

Acquiring defense expertise in defense-related committees could bring some positive reactions from the military. Currently, military officers, particularly officers of the MOD, doubt the competence of the committee in defense policy-making and criticize the quality of legislation they produce. The committee staffs could (1) help draft legislation, (2) assist in overseeing implementation of legislation, and (3) provide recommendations for modifications in passed legislation. Moreover, minority and opposition parties could have separate experts in defense and security issues.⁸⁶

There are several possible sources of defense expertise. Among these are retired military intellectuals, civilians with experience in defense organizations, and graduate students of public policy and political science.

Increasing the defense expertise of defense-related committees would encourage and broaden the legislators' participation in defense decision-making, allow consideration of various views on issues, and generate more reasonable recommendations. It would also eliminate the practice of the MOD formulating most defense legislation by itself. Competent, professional committee staff members will maintain the continuity of the defense policy and the military will gain confidence in the SIH's capacity and competency.

2. Committees' Relations with Other Defense-Related Institutions

Ideally, defense issues should be nonpartisan, but in reality a risk of partisanship over the defense issues always exists. In order to eliminate partisanship in defense issues, all elected officials should participate in the debate process. Consultation among parliament, the Prime

⁸⁶ Jeffrey Simon, *NATO Enlargement and Central Europe: A Study on Civil-Military Relations*, (Washington, D. C.: National Defense University Press, 1996), p. 27.

Minister, the President, and party leaders is necessary in the defense policy-making process. Their common understanding of the country's security environment and national defense requirements could, together, forge a comprehensive and multi-faceted defense policy.

In this light, defense-related committees should cooperate closely with the National Security Council (NSC). The NSC is composed of the Chairman of the SIH, Prime Minister, leaders of the major political parties and its advisory group, which consists of the Vice-Chairman of the SIH, Chairpersons of the Standing Committees of the SIH, cabinet members and other statutory officials, including the Chief of the General Staff. In active consultation with the NSC and its components, defense-related committees could gain access to security experts, defense analysts, researchers, and high-ranking military officers in the NSC.

Defense-related committees need to pay more attention to the Research Institute of the SIH and strengthen it with defense expertise. There is also a need to strengthen the role of the national security advisor for the SIH. Alternatively, the SIH could have a professional advisory group (independent from the MOD), conducting research and making recommendations on defense and security matters to the defense-related committees and members. Moreover, the advisory group could work as a liaison office between the parliament and the Armed Forces to eliminate the growing gap between legislators and the military.

Even though committees have gained experience in the last several years, they could benefit by exchanging views with similar committees in developed and developing countries on specific issues like drafting defense legislation, defense budgeting, and other related issues. For example, the Hungarian parliament solved several challenges regarding defense committees by inviting experts from the British parliament to advise them in the restructuring of its defense

committees.⁸⁷ The defense-related committees of the SIH should learn from the U. S. Congress's approach to democratic control of its Armed Forces.

C. THE CIVILIAN DEFENSE MINISTER

The civilian Defense Minister is a key agent in the day to day parliamentary control over the defense organizations. Therefore, a strong civilian Defense Minister is the key element in parliamentary control. Since the democratic revolution, three changes have been implemented in the MOD: (1) elimination of the political party control over the Armed Forces, (2) separation of the General Staff of the Armed Forces from the MOD, and (3) the appointment of the civilian Defense Minister. The next challenge is strengthening the civilian Defense Minister.

Although it is not necessary to place many civilian officials and civil servants into the MOD as the U. S. has done in its Department of Defense, the SIH does need to clarify the role, power, and authority of the civilian defense minister. Fundamentally important issues remain to be answered: why Mongolia needs a civilian defense minister at the MOD, how much responsibility and power the civilian Defense Minister has, and where the civilian defense minister fits in the democratic civilian control mechanism.

The civilian Defense Minister is charged with implementing the national defense policy, defense legislation, and the defense budget. The Defense Minister is also a defense policy advisor for the Prime Minister and the SIH. In the current system, the Defense Minister is the only civilian in the top decision making level of the MOD. High-ranking generals serve as the heads of all four directorates—Strategic Management and Planning; Public Administration;

⁸⁷ Information given by Hungarian student, Zoltan Kiss, Naval Postgraduate School, Monterey, California, October 1999.

Policy Implementation and Coordination; Information, Monitoring, and Evaluation. Furthermore, a full colonel heads the Finance Policy Implementation and Coordination Department. The state secretary is also a high-ranking general.⁸⁸

If the MOD is to become a *de facto* civilian-led ministry, as is necessary if genuine civilian control is to be realized, the civilian Defense Minister must be strengthened. "Defense issues are so complicated that the defense minister cannot do without capable and supportive civilian staffs."⁸⁹ The first step is to provide the current Defense Minister with at least one civilian deputy, who is fully responsible for the entire defense budget process. Secondly, the SIH should appoint civilian political appointees as heads of directorates of the MOD. It is crucial, however, that appointees understand "civilians in MOD are not supposed to perform operational (command) tasks."⁹⁰

Specifying in legislation when retired military officers could become eligible to be a civilian Defense Minister is another important issue. After studying Eastern European post communist countries, Simon writes that:

Some retired officers who have become "civilian" defense ministers have been ineffective in providing defense ministry oversight of the military—in effect allowing the General Staff to co-opt the defense ministry. This situation has

⁸⁸ Since 1996, to maintain policy continuity in ministries, the post of the state secretary for each ministry has been created and, in accordance with the Law on Government, the state secretary will not change when ministerial and government changes occur.

⁸⁹ Chih-cheng Lo, "Changing Civil-Military Relations in Taiwan's Democratization Process," Manuscript, Naval Postgraduate School, Monterey, California, October 1999, p. 6.

⁹⁰ Joo, p. 22.

resulted, in part, from the scarcity of legitimate civilian defense experts in the defense ministry.⁹¹

Interestingly, the current Mongolian Defense Minister was a signal corps officer six years ago. Recently, the majority party hinted that they would favor an active duty officer for appointment as the civilian Defense Minister. This candidate would have to be decommissioned if he were to be appointed. Therefore, there is a clear need for legislation regarding the role of the civilian Defense Minister.

Civilians, whether political appointees or civil servants, will enhance civilian control in the entire defense system. They will maintain policy continuity even when government changes occur. According to Rudolf Joo, "civil servants who have had previous experience in other branches of public administration prior to coming into the MOD (for instance, Foreign Affairs, Interior or Justice) generally prove to be better communicators, having more technical skills in inter-agency cooperation."⁹² More significantly, they could provide information to the legislators and Defense Minister, and, simultaneously, reduce the military influence.

In the Mongolian case, because the civilian Defense Minister is the only high level civilian actor at the MOD, the SIH does need to delegate to the civilian Defense Minister clearer responsibilities, strengthen the civilian Defense Minister's post with deputies to share his responsibilities, and support him with civil servants.

⁹¹ Simon, p. 291.

⁹² Joo, p. 31.

D. DEFENSE EXPERTISE AND INFORMATION

1. Research Institutes

As in the US, officials from the MOD, its directorates and agencies, and the General Staff are the principal military experts for the State Ih Hural. The defense-related committees should also establish a good working relationship with the research institutes and centers, although the number of institutions and researchers in this field are clearly limited.

From the experience of the US Congress, improving the quality of policy and legislation is helpful. The defense-related committees should share expertise in organizing, managing, and exercising oversight of the defense organizations with civilian and military leaders, members of the academic community, the media, and non-governmental organizations. Since 1992, defense-related committees have paid less attention to research institutes and centers even though capable academic resources were available for legislators. The Mongolia's Institute for Strategic Studies, the Institute for International Studies, the Military Research Institute, and the Mongolian Defense University are capable of providing sufficient expertise. These institutes can also conduct independent analyses for defense policy, defense structure, programs and budget planning. The defense-related committees, especially the Standing Committee on Security and Foreign Policy, could cooperate with research institutions and organize seminars, and meetings on security and defense issues. For example, the leading research institute of security and defense is the Institute for Strategic Studies (ISS), founded early in 1990. It could provide members of defense-related committees with policy recommendations on Mongolia's security, defense and other related issues.

The State Ih Hural should highlight the problem of the scarcity of defense expertise and information and grant research funding for research institutes and universities to provide legislators with alternative and additional information on defense issues. The ISS could brief the new members of the defense-related committees on security and defense matters and could establish close relations with defense-related committees like some think tanks in the U.S. It is also vital to create an environment for the non-governmental organizations (NGOs), institutes, and research bodies in which they can participate in public debate on defense and security policy and present alternative views and programs for policymakers.⁹³ Finally, the importance of the media in promoting transparency and accountability in defense policy is enormous. Therefore, the defense-related committees should also cooperate with the media to implement parliamentary control over the defense organization and defense activities.⁹⁴ The SIH could provide journalism scholarships in defense and security issues. "The media must maintain a constant vigilance to see that civilian control operates and the necessary conditions exist to support it in society and inside the military."⁹⁵

2. Training of Civilian Defense Experts

As discussed earlier, there is an acute need to prepare civilian defense expertise for the Parliament, its defense-related committees, and the MOD. Mongolia still lacks a teaching institution or educational program for educating civilians in defense matters. By default, the

⁹³ Joo, pp. 5-7.

⁹⁴ Bold, p. 268.

⁹⁵ Richard H. Kohn, "The Forgotten Fundamentals of Civilian Control of the Military in Democratic Government," Available [Online] 14 October 1998

<http://hdc-www.harvard.edu/cfa/olin/pubs> 15 October 1999.

center of this training is the Mongolian Defense University (MDU), for it has available faculty and a special interest in developing such training in order to justify its existence. In addition, the MDU includes all major military research and educational organizations, such as the Military Research Institute, and all levels of military officer and non-commissioned officer training. Using all its potential, the MDU could provide:

- short-term training for certain high-ranking officials on defense and security issues and such training could be a prerequisite to taking office
- research and its results to the defense-related committees and civilian Defense Minister
- seminars on defense and security matters
- research, teaching, outreach and dialogue in defense and security matters
- civil-military relations courses for both civilians and military personnel in military affairs, defense resource management, public administration, national security policy, and related issues.

In the future, the MDU should focus on developing academic programs for primarily educating civilians in planning and management of national defense and security, familiarizing civilians with the military profession and military affairs, and studying the defense policy-making process in general.⁹⁶ If the MDU could provide graduate-level programs in defense planning and management, executive leadership, civil-military relations, and interagency operations, it could become the main source for civilian defense expertise. Participants in this kind of training would be civilians with defense-related duties in the executive and legislative branches of government, persons with defense interests in the military academia, the media,

⁹⁶ Bold, p. 268.

private sectors, citizens in general, and even police officers. Further, it could provide a forum for enhancing mutual understanding and learning about the complexities of defense decision-making and resource management in a democratic society.

In addition, national security and defense policy courses could be offered at the Institute of Public Administration and Management, which prepares administrators, the Foreign Service School, and the Political Science Department of the Mongolian National University. For instance, since 1997, the first graduates of the Political Science Department have been working as legislative assistants for parliament members, government members, standing committees, and the Research Institute of the SIH. The MOD could establish visiting faculty programs with the MDU and other schools and grant scholarships in those educational institutions. This kind of cooperation among those schools and the MOD is extremely important for improving the understanding of security and defense issues among future civilian and military leaders.

Seminars, dialogues, and courses in Western countries could be other sources of training for civilian defense expertise and professional military personnel. Starting in 1998, the U. S. has been the only country that provides special seminars and training in civil-military relations, defense management, and national security for Mongolian legislators, executive officials, and military officers.⁹⁷ The SIH could organize scholarship programs in Great Britain, France and

⁹⁷ The Center for Civil-Military Relations has conducted three joint seminars (in 1997, 1998, and 1999) on civil-military relations. The Defense Resource Management Institute organized two mobile courses (1998) on defense management in Ulaanbaatar. The Naval Justice School also conducted a joint seminar in Ulaanbaatar and has trained Mongolian officers in short courses on military justice.

Those training courses in civil-military relations are designed (1) to encourage dialogue among civilian and military leaders on security issues, (2) to address issues of civil-military relations, including how to develop effective civilian ministers of defense and how to promote better education for civilian leaders on defense issues, (3) to encourage better relations among the region's military institutions, and (4) to help militaries focus on new missions, such as peacekeeping, humanitarian aid, and disaster relief, that promote military professionalism and stable civil-military relations. See Nye Joseph S. Jr., "Epilogue: The Liberal Tradition," in Larry Diamond and Marc F. Plattner, *Civil-Military Relations and Democracy*, p. 156.

other developed countries for both military and civilians of the MOD to study defense management and civil-military issues.

If military officers have a deep understanding of civilian control of the military and politics, few serious problems in civil-military relations will exist. Since 1992, Mongolian military leaders have been exposed to democratic values and have received specialized military training and education through the U. S. International Military Education and Training (IMET) program. The U. S. is also actively engaging Mongolian civilian and military officials in the Expanded-IMET (E-IMET) program. As a part of the overall IMET program,

E-IMET deepens exposure to the IMET principles by broadening program participation to include civilians performing defense-related functions. By engaging representatives from non-governmental organizations and national parliamentarians to address topics such as defense resource management, military justice, civil-military relations and human rights, E-IMET courses reinforce constructive civil-military values and promote democratization within participant countries.⁹⁸

In addition, the Asia Pacific Center for Security Studies, sponsored by the U. S. Pacific Command in Hawaii, has trained a number of Mongolian civilian and military representatives from the Ministry of Defense, Ministry of Foreign Affairs, and the Institute for Strategic Studies.⁹⁹ Civil-military relations programs conducted in Mongolia by the Center for Civil-Military Relations (CCMR) have helped Mongolia find solutions to civil-military conflicts which persist over the defense budgeting, the roles and missions of the Armed Forces, and the responsibilities of civilians and the military for effective civilian control. Joint conferences,

⁹⁸ *The United States Security Strategy for the East Asia-Pacific Region, 1998*, p. 46. Available [Online] 10 January 1998 <http://www.defenselink.mil/pubs/easr98/> 26 May 1999.

⁹⁹ MONTSAME NEWS, 25 October 1999.

workshops, seminar, and meetings sponsored by the CCMR and U. S. Pacific Command have contributed to the promotion of positive civil-military relations in Mongolia.

The training of civilian and military personnel in developed countries would be one important factor in encouraging both military and civilians to understand democratic civilian control and healthy civil-military relations. In a democracy, civilians must understand the nuances of national security policy, defense policy, defense management, strategy, and national interests. For Mongolia to develop close working relations and educational exchanges with foreign civilian universities and military institutes is necessary. With the help of these institutes, Mongolia should establish national curriculums and courses dealing with defense and civil-military issues to prepare the necessary civilian and military expertise that would eventually increase the governmental bodies' abilities to deal with matters related to defense and security.

E. CONCLUSION

The initial step for Mongolia is to pass legislation to clarify the roles and responsibilities of major civilian actors in defense policy-making. Second, "lawmakers must have access to, yet safeguard, the information necessary for policy, for decision-making, and to investigate malfeasance and failures."¹⁰⁰ The defense-related committees need to have their own experts,

¹⁰⁰ Richard H. Kohn, "The Forgotten Fundamentals of Civilian Control of the Military in Democratic Government," <http://hdc-www.harvard.edu/cfa/olin/pubs>

independent from the military organizations, and engage government officials, research institutes, centers, experts, and military people in defense policy-making. Third, the civilian Defense Minister should have civilian defense experts and deputies. Finally, civilians must be trained to take over more positions at the MOD and other defense-related organizations. However, building up sufficient civilian expertise for the MOD and legislative oversight committees is a long-term process. The Mongolian Defense University should start the training in defense policy, defense management, and civil-military relations for both defense-related civilians and military officers. Above all, as Goodman cautioned:

The lack of civilian expertise in many nations has contributed to mutual isolation of civilian authorities and military officials, and ultimately to political breakdown. Without such expertise, the frayed civil-military relations that inevitably result can lead to hardening of positions and a desire by the armed forces to take matters into their own hands by expanding the military's missions, prerogatives, and political power.¹⁰¹

¹⁰¹ Goodman, p. 42.

V. CONCLUSION AND RECOMMENDATIONS

In most democracies, the legislative branch of the government is obliged to oversee the nation's defense organizations. Likewise, under the new Constitution, the Mongolian parliament, SIH, has the four more important powers to exercise civilian oversight and control of the military: (1) to legislate defense and security matters, (2) to allocate the defense budget, (3) to determine the structure and composition of the Armed Forces, and (4) to declare war. However, although the SIH has enormous influence in shaping the defense and security policy, Mongolian legislators lack sufficient information and expertise in defense issues to exercise their power. Without access to defense-related information and civilian expertise in defense and security matters, legislators find it difficult to make any far-reaching national defense decisions.

During the Cold War era, military personnel were the only managers with expertise in defense and security. Moreover, the Soviet military presence and the defense pact with the Soviet Union guaranteed Mongolian security, and the Soviet military advisors were considered as reliable defense expertise for the government. Today the Soviet security guarantee and the advisors have vanished with the demise of the Soviet Union. Consequently, the SIH needs to strengthen itself with defense expertise and information in order to implement democratic civilian control over the military. One of the ways for the SIH to strengthen itself is to examine and emulate the democratic civilian control systems in other developed democracies and adopt the proper ways to implement a proper civilian control system.

One of many other models in the defense decision-making process is the U. S. Congress with enormous influence in defense and security policy. The U. S. Congress, to maintain its influence over defense matters, has strengthened itself with sufficient information and expertise.

The U. S. Congress obtains the executive branch's defense views from the President, the DOD and the Joint Chiefs of Staff. The Congress also receives alternative and additional data, information, and analysis from the congressional staff, congressional support agencies, and the non-governmental organizations. This process allows the U. S. legislators to participate more effectively in defense policy-making.

Increasing defense expertise and information available to the Mongolian Parliament can be achieved in several ways, by namely basing the improvements on the power and structure of the U. S. Congress.

- The SIH must enact legislation on civilian oversight and control of the military. It must define the civilian control, regulate defense-related responsibilities among the civilian officials, including the members of the parliament, the defense-related committees, the President, the Prime Minister, the civilian Defense Minister, and the Finance Minister.
- The defense-related committees must strengthen their staff by recruiting candidates (civilian and military) with defense expertise and knowledge. Moreover, those defense-related committees should play a more active role in the defense budgeting process by adding defense budget experts to their staff.
- The SIH should strengthen its Research Institute with defense experts and enrich its defense research capacity. The Research Institute should develop information-exchange programs with other similar institutes.
- The defense-related committees should cooperate with the NSC, research institutes, and the media on defense and security issues. The SIH could have a professional advisory group

(independent from the MOD) conducting research and making recommendations on security and defense issues to the defense-related committees and the members of the parliament.

- Because the civilian Defense Minister is a key agent in the daily parliamentary control over the defense organizations, the SIH needs to delegate clearer responsibilities to the civilian Defense Minister, strengthen his post with deputies to share his responsibilities, and support him with civil servants.
- The SIH should resolve the problem of scarcity of defense expertise and information. The SIH should cooperate with research institutes and universities, and should encourage them to provide legislators with alternative information on defense and security matters.
- There should be appropriate short- and long-term training and programs for educating civilians in defense and security matters. The hub of this training should be the MDU because it has the capacity to conduct such programs. Short-term training by the MDU for certain high-ranking officials on defense and security issues could be made a prerequisite for taking office.

All of these proposals would not only consolidate democratic civilian control but also would improve civil-military relations in Mongolia.

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